



BOYLE
FREDRICKSON
NEWHOLM
STEIN&GRATZ, S.C.

INTELLECTUAL PROPERTY LAW

TIMOTHY E. NEWHOLM
DIRECT DIAL: 414.225.1667
TEN@BOYLEFRED.COM

SUITE 1030
250 EAST WISCONSIN AVENUE
MILWAUKEE, WI 53202
PHONE: 414.225.9755 FAX: 414.225.9753
E-MAIL: MAIL@BOYLEFRED.COM

August 7, 2006

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Utility Patent Application Transmittal
U.S. Patent Application Ser. No. (not assigned)
National Phase of PCT/EP2005/001183
Inventors: Schulze et al.
Title: *Device for Compressing Concrete During the Manufacture of Concrete Parts*
Assignee: Wacker Construction Equipment AG
Customer Account No.: 23598
Our Ref: 72.111

Dear Sir:

Enclosed in connection with the above-identified national phase patent application are:

- the national phase application, consisting of:
 - 10 pages of specification,
 - 20 claims on 3 sheets, and
 - 1 Drawing on 1 sheet;
- Application Data Sheet;
- a Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371;

- a Preliminary Amendment (1) entering amendments made to the international application under Article 34, (2) submitting a substitute specification in which the application is amended to incorporate the amendments made under Article 34 and to insert the required headings, (3) amending the claims without narrowing the claims and without adding new matter, (4) eliminating multiple dependencies and otherwise placing the claims into conformance with preferred USPTO practice, and (5) adding an Abstract. Please enter the Preliminary Amendment before determining the filing fees; and
- an Information Disclosure Statement (IDS), Form PTO-1449, and a copy of the cited documents;
- an executed Declaration; and
- an Appointment of Domestic Representative.

Applicant(s):

<u>Name</u>	<u>Residence</u>	<u>Citizenship</u>
Richard Schulze	Munchen, Germany	Germany
Holger Muth	Munchen, Germany	Germany

Assignment for Published Application:

Wacker Construction Equipment AG

Power of Attorney:

Those attorneys associated with Customer Account No. **23598**.

Small Entity Statement:

Not applicable.

Domestic Priority data as claimed by applicant:

This application is a 371 of PCT/EP2005/001183; filed **4 February 2005** (04.02.2005).

Foreign Application(s):

German Appl. Ser. No. 10 2004 005 922.5; filed 6 February 2004 (06.02.2004)

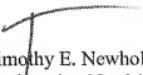
Non-Publication Request:

Not applicable.

Deposit Account Authorization

The Director is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,



Timothy E. Newholm
Registration No. 34,400

Enclosures

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 72.111
INTERNATIONAL APPLICATION NO. PCT/EP2005/001183	INTERNATIONAL FILING DATE 4 February 2005	U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
TITLE OF INVENTION <i>Device for Compressing Concrete During the Manufacture of Concrete Parts</i>		
APPLICANT(S) FOR DO/EO/US Schulze et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below. <input checked="" type="checkbox"/> The US has been elected (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. <input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). (Appendix C) <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input checked="" type="checkbox"/> A substitute specification. (Appendix A – clean version; Appendix B – marked up version) 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) _____	INTERNATIONAL APPLICATION NO. _____	ATTORNEY'S DOCKET NUMBER _____
		72,111

20. Other items or information: **Appointment of Domestic Representative**

The following fees have been submitted			CALCULATIONS	PTO USE ONLY																									
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))	\$300		\$ 300																										
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of the PCT Article 33(1)-(4)	\$0																												
All other situations	\$200		\$ 200																										
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of the PCT Article 33(1)-(4). Search fee (37 CFR 1.445(e)(2)) has been paid on the international application to the USPTO as an International Searching Authority	\$0																												
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB	\$100																												
All other situations	\$400																												
	\$500		\$ 400																										
TOTAL OF 21, 22 and 23 =			\$ 900																										
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing) IN COMPLIANCE WITH 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																													
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE																										
14 -100 =	0 /50 =	0	x \$250																										
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of the commencement of the national stage (37 CFR 1.492(h)).			\$ 0																										
<table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> <th>\$</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>20 - 20 =</td> <td>0</td> <td>x \$50</td> <td>\$ 0</td> </tr> <tr> <td>Independent claims</td> <td>2 - 3 =</td> <td>0</td> <td>x \$200</td> <td>\$ 0</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$380</td> <td>\$ 0</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 900</td> </tr> </tbody> </table>					CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total claims	20 - 20 =	0	x \$50	\$ 0	Independent claims	2 - 3 =	0	x \$200	\$ 0	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$380	\$ 0	TOTAL OF ABOVE CALCULATIONS =				\$ 900
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$																									
Total claims	20 - 20 =	0	x \$50	\$ 0																									
Independent claims	2 - 3 =	0	x \$200	\$ 0																									
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$380	\$ 0																									
TOTAL OF ABOVE CALCULATIONS =				\$ 900																									
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.																													
SUBTOTAL = \$ 900																													
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). + \$ 0																													
TOTAL NATIONAL FEE = \$ 900																													
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$ 0																													
TOTAL FEES ENCLOSED = \$ 900																													
			Amount to be refunded:	\$																									
			Amount to be charged:	\$																									

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

a. A check in the amount of \$ _____ to cover the above fees is enclosed.

b. Please charge my Deposit Account No. 50-1170 in the amount of \$ 900 to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1170. A duplicate copy of this sheet is enclosed.

d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

BOYLE FREDRICKSON NEWHOLM STEIN
& GRATZ SC
250 E. Wisconsin Avenue, Suite 1030
Milwaukee, WI 53202



SIGNATURE:

Timothy E. Newholm
NAME34400
REGISTRATION NUMBER